
By: **Senator Lawlah**
Introduced and read first time: February 11, 2004
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **State Police Retirement System - Disability Retirements**

3 FOR the purpose of establishing procedures for granting ordinary disability
4 retirement allowances to certain former members of the State Police Retirement
5 System; and generally relating to disability retirement allowances for former
6 members of the State Police Retirement System.

7 BY repealing and reenacting, with amendments,
8 Article - State Personnel and Pensions
9 Section 29-105
10 Annotated Code of Maryland
11 (1997 Replacement Volume and 2003 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - State Personnel and Pensions**

15 29-105.

16 (A) The Board of Trustees shall grant an ordinary disability retirement
17 allowance to a member if:

- 18 (1) the member has at least 5 years of eligibility service; and
- 19 (2) the medical board certifies that:
- 20 (i) the member is mentally or physically incapacitated for the
21 further performance of the normal duties of the member's position;
- 22 (ii) the incapacity is likely to be permanent; and
- 23 (iii) the member should be retired.

1 (B) THE BOARD OF TRUSTEES SHALL GRANT AN ORDINARY DISABILITY
2 RETIREMENT ALLOWANCE TO A FORMER MEMBER OF THE STATE POLICE
3 RETIREMENT SYSTEM IF:

4 (1) THE MEMBER WAS TERMINATED AS UNFIT FOR DUTY ON OR AFTER
5 AUGUST 1, 1990;

6 (2) THE SECRETARY OF STATE POLICE COMPLETED AN APPLICATION
7 FOR A SPECIAL DISABILITY ON BEHALF OF THE MEMBER UNDER § 29-103 OF THIS
8 SUBTITLE OR § 2-415 OF THE PUBLIC SAFETY ARTICLE, ON OR BEFORE MAY 1, 1993;

9 (3) THE BOARD OF TRUSTEES DENIED THE MEMBER A SPECIAL
10 DISABILITY RETIREMENT ALLOWANCE UNDER § 29-111 OF THIS SUBTITLE, ON OR
11 BEFORE SEPTEMBER 1, 1995;

12 (4) THE MEMBER WITHDREW THE MEMBER'S ACCUMULATED
13 CONTRIBUTIONS IN THE STATE POLICE RETIREMENT SYSTEM ON OR BEFORE
14 NOVEMBER 1, 1996; AND

15 (5) ON OR BEFORE DECEMBER 31, 2004, THE MEMBER PAYS TO THE
16 BOARD OF TRUSTEES IN A SINGLE PAYMENT THE MEMBER'S ACCUMULATED
17 CONTRIBUTIONS THAT WERE WITHDRAWN FROM THE STATE POLICE RETIREMENT
18 SYSTEM ON OR BEFORE NOVEMBER 1, 1996.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 July 1, 2004.